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June 24, 2009

United States Trustee
Robert B. Van Arsdale
Office of the United States Trustee
701 East Broad Street – Suite 4304
Richmond, VA 23219-1888

Re: Circuit City Stores, Inc. – Case No. 08-35653

Dear Sir:

I represent Geraldine B. Spink of 329 Lafayette Road, North Kingstown, Rhode Island 02852-5300. Ms. Spink bought a Sony television from the Circuit City Store #4114 located at 140 Hillside Road, Cranston, Rhode Island on July 29, 2008. The enclosed slip shows that the Sony television was to be delivered; and, in fact, there was a delivery charge associated with that television. Ms. Spink never received the television, which sold for \$580.00 together with the sum of \$40.60 for the seven (7%) percent Rhode Island sales tax, for a total of \$620.60. Ms. Spink charged all of that on her Chase Circuit City credit card and has paid that full sum; however, she never received the television that was to be delivered to her.

Upon checking with Kurtzman Carson Consultants LLC in El Segundo, California, she found that the last date to file a Proof of Claim was January 30, 2009 for those creditors that had been notified of the bankruptcy. She is not in that class of creditors, as she was never notified. I am enclosing her Proof of Claim showing that she had made the full payment for the purchase of that television on her charge card and did not receive any goods, pursuant to 11 USC Sec. 507 (a)(7). Would you also please let me know the last date to file an objection to the Discharge in this matter as Ms. Spink was not notified nor did she receive the delivery of the goods, yet Circuit City kept the goods and sold them to someone else on January 10, 2009.

Enclosed is a copy of sales slip 411405121378 that shows the sale of the Sony television and that it had to be ordered and was to be delivered upon receipt by the store. This did not occur. The amount of the television was charged against Ms. Spink's charge


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U.S. DISTRICT COURT
CRANSTON, RHODE ISLAND
CLERK'S OFFICE

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card. Subsequently on her charge card statement for the period 12/14/08 through 1/10/09, Circuit City credited that amount, but then on the same date debited that same amount again. When Ms. Spink went to the store to discuss the fact that she had never received the television, they said that the television had been received, but that they had sold it to someone else. Hence, they have sold the same television twice, being paid in full for it by two different parties. However, the other party has the television and Ms. Spink does not!

May I hear from you with your opinion and thoughts with regard to this letter.

Very truly yours,



RODERICK A. J. CAVANAGH

j
enc.

cert. mail/rrr

B 10 (Official Form 10) (12/07)

UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA		PROOF OF CLAIM
<p style="text-align: center;">Debtor against which claim is asserted: (Check only <u>one</u> box below:)</p> <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"> <input checked="" type="checkbox"/> Circuit City Stores, Inc. (Case No. 08-35653) <input type="checkbox"/> Circuit City Stores West Coast, Inc. (Case No. 08-35654) <input type="checkbox"/> InterTAN, Inc. (Case No. 08-35655) <input type="checkbox"/> Ventoux International, Inc. (Case No. 08-35656) <input type="checkbox"/> Circuit City Purchasing Company, LLC (Case No. 08-35657) <input type="checkbox"/> CC Aviation, LLC (Case No. 08-35658) </div> <div style="width: 33%;"> <input type="checkbox"/> CC Distribution Company of Virginia, Inc. (Case No. 08-35659) <input type="checkbox"/> Circuit City Stores PR, LLC (Case No. 08-35660) <input type="checkbox"/> Circuit City Properties, LLC (Case No. 08-35661) <input type="checkbox"/> Orbyx Electronics, LLC (Case No. 08-35662) <input type="checkbox"/> Kinzer Technology, LLC (Case No. 08-35663) <input type="checkbox"/> Courchevel, LLC (Case No. 08-35664) </div> <div style="width: 33%;"> <input type="checkbox"/> Abbott Advertising, Inc. (Case No. 08-35665) <input type="checkbox"/> Mayland MN, LLC (Case No. 08-35666) <input type="checkbox"/> Patapasco Designs, Inc. (Case No. 08-35667) <input type="checkbox"/> Sky Venture Corporation (Case No. 08-35668) <input type="checkbox"/> XSSuff, LLC (Case No. 08-35669) <input type="checkbox"/> PRAHS, INC. (Case No. 08-35670) </div> </div>		
<p>Name of Creditor (the person or other entity to whom the debtor owes money or property): Geraldine B. Spink</p>		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim. Court Claim Number: _____ (If known) Filed on: _____
<p>Name and address where notices should be sent: 329 Lafayette Road North Kingstown, RI 02852-5300 Telephone number: 401 295-0151</p>		
<p>Name and address where payment should be sent (if different from above): same as above Telephone number: _____</p>		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input type="checkbox"/> Check this box if you are the debtor or trustee in this case.
<p>1. Amount of Claim as of Date Case Filed: \$ <u>620.60 (\$580.00 & sales tax of \$40.60)</u> If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4. If all or part of your claim is entitled to priority, complete item 5. <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.</p>		
<p>2. Basis for Claim: <u>Purchase of Sony TV Model#DL26M4000 from Store#4114, 140 Hillside Rd., Cranston, RI - never delivered TV to me</u> (See instruction #2 on reverse side.)</p>		<p>5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount.</p> <p>Specify the priority of the claim.</p> <input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). <input type="checkbox"/> Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtors business, whichever is earlier — 11 U.S.C. § 507(a)(4). <input type="checkbox"/> Contributions to an employee benefit plan — 11 U.S.C. § 507(a)(5). <input checked="" type="checkbox"/> Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use — 11 U.S.C. § 507(a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units — 11 U.S.C. § 507(a)(8). <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(____). Amount entitled to priority: <u>\$ 620.60</u> <small>*Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment</small>
<p>3. Last four digits of any number by which creditor identifies debtor: _____</p> <p>3a. Debtor may have scheduled account as: _____ (See instruction #3a on reverse side.)</p>		
<p>4. Secured Claim (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information.</p> <p>Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: <u>580.00 plus sales tax of \$40.60</u> Value of Property: \$ _____ Annual Interest Rate: _____ % Amount of arrearage and other charges as of time case filed included in secured claim, if any: \$ _____ Basis for perfection: _____ Amount of Secured Claim: \$ <u>620.60</u> Amount Unsecured: \$ _____</p>		
<p>6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim. 7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements or running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See definition of "redacted" on reverse side.) DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain:</p>		
<p>Signature: the person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.</p> <p>Date: <u>6/24/2009</u></p> <p style="text-align: center;"><i>Geraldine B. Spink</i></p>		<p>FOR COURT USE ONLY</p>



Opening/Closing Date:
Payment Due Date:
Minimum Payment Due:

12/14/08 - 01/13/09
02/07/09
\$11.00

CUSTOMER SERVICE
In U.S. 1-800-477-6761
Español 1-800-477-6761
TDD 1-800-955-8060
Pay by phone 1-800-477-6761
Outside U.S. call collect 1-770-792-4260

ACCOUNT SUMMARY

Account Number: 5053 3810 0010 6731

Previous Balance \$1,147.38
Payment, Credits -\$669.99
Purchases, Cash, Debits +\$641.99
New Balance \$1,119.38

Total Credit Line \$6,000
Available Credit \$4,880

ACCOUNT INQUIRIES
P.O. Box 15298
Wilmington, DE 19850-5298

PAYMENT ADDRESS
P.O. Box 15325
Wilmington, DE 19886-5325

VISIT US AT:
www.chase.com/circuitcity

CIRCUIT CITY REWARDS SUMMARY

Previous points balance 6,337
Points earned on Circuit City purchases 0
Now total points balance 6,337

6,337 to expire on: statement date in SEPTEMBER 2011

Redeem your rewards points today and use your Rewards Certificates towards your next purchase at Circuit City. For every 500 points you earn, you'll receive a \$5 Rewards Certificate. Just visit circuitcityrewards.com anytime to check your point balance and redeem for Rewards Certificates.

TRANSACTIONS

Trans Date	Reference Number	Merchant Name or Transaction Description	Amount	
			Credit	Debit
01/01	10010010200000139792455	Payment Thank You Electronic Chk		
01/10	65491049010000465106478	CIRCUIT CITY - 4114 CRANSTON RI	\$28.00	
		154 26"-32" LCD TV		641.99
		829 SALVAGE HAUL-AWAY CHARGE		
		148 IN HOME CC PC INSTAL		
01/10	65491049010000465106387	CIRCUIT CITY - 4114 CRANSTON RI		641.99
		154 26"-32" LCD TV		
		829 SALVAGE HAUL-AWAY CHARGE		
		148 IN HOME CC PC INSTAL		

QUALIFYING PROMOTIONAL FINANCING



Circuit City Stores, Inc.

Store 4114
140 HILLSIDE RD
CRANSTON, RI 02920-1663
(401) 946-5300

21:05:20 07/29/08

Sold to:
GERALDIN B. SPINK
(401) 295-0151
329 LAFAYETTE RD
NORTH KINGSTOWN, RI 02852-5300

Chris

CUSTOMER COPY

411405121378

Salesperson: J. RAMIREZ Registered Cashier: 04 357419

Item	Qty	Model	Description	Tax	Amount
1	SO	SON KDL26M4000	SON KDL26M4000		590.00
2	SL	SAM LN22A450	23" LCD MONITOR		59.49
3	SL	1 MCC MC500HD1M	VIDEO CAMERAS		61.99
4	SL	1 DLV Delivery	Delivery Charge		50.99
5	SL	1 SAL HAULAWAY	SALVAGE HAUL-AWAY		0.00

Total Taxable \$ 1,184.47
Sales Tax \$ 82.91
TOTAL PURCHASE \$ 1,267.38
CCS-M 057010 \$ 1,267.38
BALANCE \$ 0.00

For manufacturer contact information, please refer to your owner's manual or visit circuitcity.com

Item

- 1 SON KDL26M4000, has been ordered for you. Your Sales Associate will notify you when your product is received.
- 1 The delivery date for your SON KDL26M4000 has not been scheduled.

Title

It is expressly agreed that transfer of title of merchandise to customer and commencement of any manufacturer warranty period occurs upon actual, physical transfer of possession of goods to customer.

Thanks for being a Circuit City Credit Card Customer. Rewards customers can check reward status at www.circuitcityrewards.com. Not yet a Rewards Card Customer? See a store associate today to apply.

Delivery Information

Basic delivery includes: unboxing the TV, checking for power and picture, hooking up to existing video source, cable or antenna, clearing away cartons and packing materials, hauling away your old TV, if applicable.

Shop with us online at circuitcity.com.